

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

HU YANG  
TA YEN CHING  
GANGFENG CAI

Serial No.: 09/851,537

Filed: May 8, 2001

For: ENHANCED OXYGEN BARRIER  
PERFORMANCE FROM MODIFICATION  
OF ETHYLENE VINYL ALCOHOL  
COPOLYMERS (EVOH)

Group Art Unit: 1713

Examiner: Unknown

Attorney Docket: 2039.005800/RFE

INFORMATION DISCLOSURE STATEMENT

BOX MISSING PART  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: BOX MISSING PART, Assistant Commissioner for Patents, Washington D.C., 20231, on the date below.

August 9, 2001

  
Cynde Meinhart

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/2039.005800RFE.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Raymund F. Eich  
Reg. No. 42,508

AGENT FOR APPLICANTS

WILLIAMS, MORGAN & AMERSON, P.C.  
7676 Hillmont, Suite 250  
Houston, Texas 77040  
(713) 934-4065  
(713) 934-7011 (fax)

August 9, 2001

<b>Form PTO-1449</b> (modified)		Atty. Docket No. 2039.005800/RFE	Serial No. 09/851,537
List of Patents and Publications for Applicant's  <b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)		Applicant Hu Yang/Ta Yen Ching/Gangfeng Cai	
		Filing Date: May 8, 2001	Group: 1713
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 2</i>	Other Art <i>See Page 2</i>	

### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	3,497,571	02/24/70	Tellier et al.	260	844	12/12/67
	A2	3,536,687	10/27/70	Nordstrom	260	89.5	
	A3	4,415,710	11/15/83	Barnabeo et al.	525	370	12/28/81
	A4	4,524,201	06/18/85	Barnabeo et al.	528	395	08/02/83
	A5	5,116,916	05/26/92	Young	525	350	01/29/88
	A6	5,211,875	05/18/93	Speer et al.	252	188.28	
	A7	5,346,644	09/13/94	Speer et al.	252	188.28	
	A8	5,425,896	06/20/95	Speer et al.	252	188.28	
	A9	5,466,756	11/14/95	Roach et al.	525	330.6	09/15/94
	A10	5,498,364	03/12/96	Speer et al.	252	188.28	
	A11	5,627,239	05/06/97	Ching et al.	525	330.6	
	A12	5,641,825	06/24/97	Bacska et al.	524	398	
	A13	5,656,692	08/12/97	Hayes	525	63	09/04/96
	A14	5,660,761	08/26/97	Katsumoto et al.	252	188.28	
	A15	5,700,554	12/23/97	Speer et al.	428	220	
	A16	5,736,616	04/07/98	Ching et al.	525	330.3	
	A17	5,776,361	07/07/98	Katsumoto et al.	252	188.28	
	A18	5,859,145	01/12/99	Ching et al.	525	330.6	
	A19	5,837,158	11/17/98	Shepodd et al.	252	181.6	09/23/96
	A20	6,063,307	05/16/00	Shepodd et al.	252	181.6	10/29/98
	A21	6,057,013	05/02/00	Ching et al.	428	35.7	
	A22						

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>Form PTO-1449</b> (modified)		Atty. Docket No. 2039.005800/RFE	Serial No. 09/851,537
List of Patents and Publications for Applicant's  <b>INFORMATION DISCLOSURE STATEMENT</b>  (Use several sheets if necessary)		Applicant Hu Yang/Ta Yen Ching/Gangfeng Cai	
		Filing Date: May 8, 2001	Group: 1713
U.S. Patent Documents See Page 1	Foreign Patent Documents See Page 2	Other Art See Page 2	

### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A23						
	A24						
	A25						

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO99/48963	09/30/99	PCT			
	B2						

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Ching et al., "Tasteless Oxygen Scavenging Polymers: A New Platform Technology for Food Packaging Based On Controlled Oxidation," <i>Oxygen Absorber ... 2001 and Beyond</i> , OSP Conference, pages 1-8 (Chicago, June 19-20, 2000)
	C2	Ching et al., "Tasteless Oxygen Scavenging Polymers: A New Platform Technology for Food Packaging Based On Controlled Oxidation," <i>Oxygen Absorber ... 2001 and Beyond</i> , OSP Conference Slides (Chicago, June 19-20, 2000)
	C3	

Examiner:

Date Considered:

EXAMINER: initial if reference considered, whether or not citation is in conformance with MPEP609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

HU YANG  
TA YEN CHING  
GANGFENG CAI

Serial No.: 09/851,537

Filed: May 8, 2001

For: ENHANCED OXYGEN BARRIER  
PERFORMANCE FROM MODIFICATION  
OF ETHYLENE VINYL ALCOHOL  
COPOLYMERS (EVOH)

Group Art Unit: 1713

Examiner: Unknown

Attorney Docket: 2039.005800/RFE

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

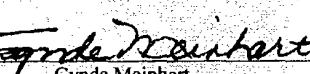
In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. §§ 1.97(g),(h), this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be

**CERTIFICATE OF MAILING (37 C.F.R. § 1.8)**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C., 20231, on the date below.

January 23, 2002

  
Cynde Meinhart

construed to be an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Supplemental Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Supplemental Information Disclosure Statement; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Assistant Commissioner is hereby authorized to deduct said fees from Williams, Morgan & Amerson, P.C., Deposit Account No. 50-0786/2039.005800RFE.

In accordance with 37 C.F.R. § 1.97(e)(1), Applicants hereby certify that each item of information contained in this Supplemental Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the present statement, as evidenced by the date of the enclosed search report.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Raymund F. Eich  
Reg. No. 42,508

AGENT FOR APPLICANTS

WILLIAMS, MORGAN & AMERSON, P.C.  
7676 Hillmont, Suite 250  
Houston, Texas 77040  
(713) 934-4065  
(713) 934-7011 (fax)

Form PTO-1449 (modified)		Atty. Docket No. 2039.005800/RFE	Serial No. 09/851,537
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant Hu Yang/Ta Yen Ching/Gangfeng Cai	
		Filing Date: May 8, 2001	Group: 1713
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

### U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A22	4,743,409	05/10/1988	Nomura et al.	264	1.3	06/10/1986
	A23	2,238,447	04/15/1941	Overbaugh	260	66	09/16/1938
	A24						
	A25						

### Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B2	62141003	06/24/87	Japan			Abstract
	B3	0 751 153 A1	01/02/97	Europe			
	B4						
	B5						

### Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C3	PCT/US01/16040 International Search Report (January 9, 2002)
	C4	
	C5	

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.